



























CITY OF EL PASO, TEXAS AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: BUILDING PERMITS AND INSPECTIONS
AGENDA DATE: JANUARY 18 TH , 2005
CONTACT PERSON/PHONE: TOM MAGUIRE 541-4800
DISTRICT(S) AFFECTED: 2
SUBJECT: APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable. APPROVE A RESOLUTION TO DECLARE THE PROPERTY AT 3901 TROWBRIDGE DRIVE UNFIT
FOR USE OR HABITATION AND A HAZARD TO THE PUBLIC HEALTH, SAFETY AND
WELFARE. BACKGROUND / DISCUSSION: Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?
APPROVE, DISAPPROVE OR POSTPONE DEPARTMENT RECOMMENDATIONS.
PRIOR COUNCIL ACTION: Has the Council previously considered this item or a closely related one?
<u>N/A</u>
AMOUNT AND SOURCE OF FUNDING: How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?
COST OF ACTION TO BE BILLED TO OWNER IF COUNCIL ORDER NOT COMPLIED WITH, LIEN
PLACED ON PROPERTY, IF NECESSARY.
BOARD / COMMISSION ACTION: Enter appropriate comments or N/A
<u>N/A</u>

<u>LEGAL:</u> (if required) <u>FINANCE:</u> (if required)
DEPARTMENT HEAD:
(Example: if RCA is initiated by Purchasing, client department should sign also) Information copy to appropriate Deputy City Manager
APPROVED FOR AGENDA:
CITY MANAGER: DATE:

COUNCIL AGENDA ITEM # FOR TUESDAY, JANUARY 18TH, 2005

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM December 20, 2004

TO:

The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM:

Tom Maguire, Housing Compliance Supervisor

SUBJECT:

3901 Trowbridge Drive

(Rep. District #2)

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated May 11th, 2004. The building was found to be in an advanced state of disrepair. The building has been used as a harborage by unwanted persons.
- 2) A certified condemnation letter was mailed to Enrique Mata & HomePlus USA, 3901 Trowbridge Drive.
- 3) Certified notices of the public hearing scheduled for January 18th, 2005 were mailed to the owners and all interested parties on December 17th, 2004.
- 4) There has been no response from the owner.

The Department recommends that it be found:

- 1) That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structure can be repaired; and
- 5) That the main structure be secured within 30 days and maintained secured until rehabilitated; and
- 6) That the addition started at rear of main building, be demolished; and
- 7) That the accessory structure be demolished within 30 days; and
- 8) That the premises be cleaned of all weeds, trash, and debris within 30 days and maintained clean.

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Certified

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BUILDING PERMITS AND INSPECTIONS CODE COMPLIANCE May 11, 2004

Enrique Mata 3901 Trowbridge Dr. El Paso, Texas 79903-2826

Re: 3901 Trowbridge Dr.

Lots: 1 & 2

Blk: 27, Government Hill

Zoned: R-4 COD04-06108

Certified Mail Receipt # 7003 2260 0002 9957 3988

CITY COUNCIL.

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr. DISTRICT NO. 2

JOSE ALEXANDRO LOZANO DISTRICTNO.3

> JOHN COOK DISTRICT NO. 4

DANIEL S. POWER DISTRICT NO. 5

PAUL J. ESCOBAR DISTRICT NO. 6

VIVIAN ROJAS DISTRICT NO. 7 ANTHONY COBOS DISTRICT NO. 8

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

3901 Trowbridge Drive

- c. Boarded up, fenced, or otherwise secured in any manner in if:
- i. The building constitutes a danger to the public even though secured entry, or
- ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 3901 Trowbridge Drive has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The plumbing system is inadequate and does not meet minimum code requirements.
- g. The electrical system is inadequate and does not meet minimum code requirements.
- h. The HVAC system is inadequate and does not meet minimum code requirements.
- i. The structure is open and accessible to unauthorized entry.
- j. The premises are full of weeds, trash, and debris.
- k. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.

Address

I. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 54l-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

Leo CassoLopez

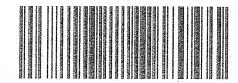
Building Inspector

LC/rl

The City of El Paso
Two Civic Center Plaza
El Paso, Texas 79901-1196

Building Permits and Inspections
Code Enforcement

GS:HISB) WALL



7003 2260 0002 9957 3988



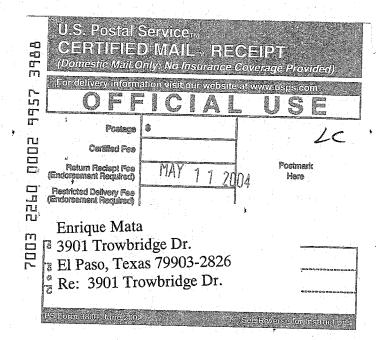


ETURN RECEIPT REQUESTED X

Enrique Mata 3901 Trowbridge Dr. El Paso, Vexas 79903-2826

79303+2888801828096

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON D	ELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse	A, Signature	☐ Agent ☐ Addressee
so that we can return the card to you, Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name)	C. Date of Delivery
. Article Addressed to:	D. Is delivery address different from If YES, enter delivery address be	
Enrique Mata 3901 Trowbridge Dr.		
	3. Service Type	
3901 Trowbridge Dr.	Certified Mail	
3901 Trowbridge Dr. El Paso, Texas 79903-2826	Certified Mail	Mail eceipt for Merchandise □ Yes
3901 Trowbridge Dr. El Paso, Texas 79903-2826 Re: 3901 Trowbridge Dr.	Certified Mail	eceipt for Merchandise



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BUILDING PERMITS AND INSPECTIONS CODE COMPLIANCE May 11, 2004

HOMEPLUS USA 4316 Sunbelt Dr. Addison, TX 75001-5135

CITY COUNCIL

C 0 PY

SUSAN AUSTIN DISTRICT NO. 1

ROBERT A. CUSHING Jr. DISTRICT NO. 2

JOSE ALEXANDRO LOZANO DISTRICT NO. 3

JOHN COOK DISTRICT NO. 4

DANIEL S. POWER DISTRICT NO. 5

PAUL J. ESCOBAR DISTRICT NO. 6

VIVIAN ROJAS DISTRICT NO. 7 ANTHONY COBOS DISTRICT NO. 8

Re: 3901 Trowbridge Dr. Lots: 1 & 2 Blk: 27, Government Hill Zoned: R-4

COD04-06108 Certified Mail Receipt # 7003 2260 0002 9957 3971

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3901 Trowbridge Drive

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- g. The electrical system is inadequate and does not meet minimum code requirements.
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Should you have any questions regarding this matter, please contact me at 54l-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

Leo CassoLopez Building Inspector

LC/rl

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X
HOMEPLUS USA 4316 Sunbelt Dr. Addison, TX 75001-5135	3. Service Type
Re: 3901 Trowbridge Dr.	☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number 7003 E	4. Restricted Delivery? (Extra Fee) 24. D 0002 9957 3971
(Iransier from service label)	eturn Receipt 102595-02-M-1540

3971	U.S. Postal Service CERTIFIED MAIL RECEIPT (Damestic Mail Only: No Insurance Goverage Provided) For delivery information visit our website at www.usps.com
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	HOMEPLUS USA
7003	4316 Sunbelt Dr.
	4310 Sunson TX 75001-5135
į —	Addison, 1A 15001 Dr
	Re: 3901 Trowbridge Dr.
	See Reverse for Instituctions

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 18th day of January, 2005 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3901 Trowbridge Drive, in El Paso, Texas, which property is more particularly described as:

Lots: 1 and 2, Block 27, Government Hill, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 11, Page 58, Plat Records of El Paso, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Enrique Mata, 3901 Trowbridge Drive, El Paso, Texas 79903-2826, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 14th day of December, 2004.

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lisa A. Hayes Assistant City Attorney Tom Maguire
Housing Compliance Supervisor

	Richarda Duffy Momsen
Executed this day of the City of El Paso, Texas, by Richarda Du	, 2004 on behalf of uffy Momsen in her capacity as City Clerk.
STATE OF TEXAS COUNTY OF EL PASO	
Subscribed and sworn to before me, this $_$	day of, 2004.
	Notary Public

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a

correct copy of the foregoing Notice of	Clerk of the City of El Paso, hereby certify that a true a dated December 14, 2004 regarding the property located ISHED in the official City newspaper on theday	and d
	, Richarda Duffy Momsen	
I certify that a true and correct copy or regarding the property at 3901 Trowb RECEIPT REQUESTED) to:	of the foregoing Notice dated December 14, 2004 oridge Drive, was (MAILED CERTIFIED-RETURN	
Enrique Mata 3901 Trowbridge Dr.		
El Paso, Texas 79903-2826	Date:	
	Time:	
	Inoncetor	
	Inspector	
I certify that a true and correct copy or regarding the property at 3901 Trowb RECEIPT REQUESTED) to:	of the foregoing Notice dated December 14, 2004 oridge Drive, was (MAILED CERTIFIED-RETURN	
HomePlus USA		
4316 Sunbelt Dr.		
Addison, TX 75001-5135	Date:	
	Time:	
	Inspector	
I certify that a true and correct copy of regarding the property at 3901 Trowb RECEIPT REQUESTED) to:	of the foregoing Notice dated December 14, 2004 oridge Drive, was (MAILED CERTIFIED-RETURN	
Maria Del Rocio Amparan 3901 Trowbridge Dr.		
El Paso, Texas 79903	Deter	
	Date:	
*	Inspector	
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I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: Eduardo Romo 11608 Clear Lake El Paso, TX 79936 Date:____ Time:_____ Inspector I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: Mark R. Hyland - First National Security Corp. 5925 Phelan Boulevard Beaumont, TX 77706 Date: Time:_____ Inspector I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: CitiFinancial Mortgage Co. *C/O Adria Brennan Assistant Vice President 250 East John Carpenter Freeway Irving, TX 75062 Date: Time:_____ Inspector I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 RECEIPT REQUESTED) to:

regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN

First National Security Corporation C/O Paul D. Romero 5925 Phelan Boulevard Beaumont, TX 77706

Date:	 	
Time:	 	 -

I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Mark R. Hyland 2611 Dewberry Ln. Pasadena, TX 77502-5328	Date:
	Time:
	Inspector
I certify that a true and correct copy of the foregoing regarding the property at 3901 Trowbridge Drive, w RECEIPT REQUESTED) to:	
Associates Financial Services Co., Inc. 250 East John Carpenter Freeway Irving, TX 75062	
	Date:
	Time:
	Inspector
I certify that a true and correct copy of the foregoing regarding the property at 3901 Trowbridge Drive, we RECEIPT REQUESTED) to:	
S.E.C. Mortgage Company 1690 North Major Drive Suite 202 Beaumont, TX 77713	
	Date:
	Time:
	Inspector
I certify that a true and correct copy of the foregoing regarding the property at 3901 Trowbridge Drive, we RECEIPT REQUESTED) to:	
Ronald R. Calhoun 6044 Gateway East Suite 305 El Paso, TX 79905	
the state of the s	Date:
	· · ·
	Inspector

I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (HAND-DELIVERED) to: City of El Paso C/O City Clerk #2 Civic Center Plaza El Paso, TX 79901 Time:_____ Inspector I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: Governor of the Ysleta Del Sur Pueblo Indian Tribe AKA Tigua Indian Community 119 S. Old Pueblo Road El Paso, Texas 79907 Date:__ Time:_____ Inspector I certify that a true and correct copy of the foregoing Notice dated December 14, 2004 regarding the property at 3901 Trowbridge Drive, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to: El Paso Central Appraisal District 5801 Trowbridge Ave. El Paso, Texas 79925 Date:__ Time:____ Inspector I certify that a true and correct copy of the foregoing Notice was POSTED at 3901 Trowbridge Drive, El Paso, Texas. Date:

Time:___

Inspector



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: 11-15-04

REP. DISTRICT: 2

ADDRESS: 3901 Trowbridge Drive

ZONED: R-4

LEGAL DESCRIPTION: Block 27, Government Hill, Lots 1 & 2

OWNER: Enrique Mata

ADDRESS: 3901 Trowbridge Drive

BUILDING USE: Single Family Residence

TYPE OF CONSTRUCTION: V Brick, wood, and plaster

FOOTINGS: Unable to determine

CONDITION: May require an engineer to determine actual condition.

FOUNDATION WALL: Rock and concrete

CONDITION: Crack noted. Need to hire contractor to evaluate condition.

FLOOR STRUCTURE: Wood and concrete

CONDITION: Fair. Need to hire contractor for repairs.

EXTERIOR WALLS: Brick and plaster

HEIGHT: 8' to 10'

THICKNESS: 10" to 12"

CONDITION: Fair. Need to hire contractor for repairs.

INTERIOR WALLS & CEILINGS: 2 x 4 wood with ½ sheet rock and plaster.

CONDITION: Fair. Would need to hire a contractor to make repairs.

ROOF STRUCTURE: Wood with shingle

CONDITION: Leaks noted, need to hire contractor for repairs.

DOORS, WINDOWS, ETC.: Wood and metal construction.

CONDITION: Bad. Need to replace windows for code requirements.

MEANS OF EGRESS: Does not meet code requirements.

CONDITION: Bad.

PLUMBING: A licensed contractor should be hired to access the actual condition.

ELECTRICAL: A licensed contractor should be hired to determine actual condition.

MECHANICAL: A licensed contractor should be hired to determine actual condition.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: 0

WARNING POSTED: No

boston Carpa

BARRICADED: No

POLICE AID REQD.: No

REMARKS: The house is in fair shape but needs interior and exterior repairs. I recommend this house be secured and cleaned.

Sebastian Campos

Building Inspector